

Economic Impact Statement
LSA Document #11-786**IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

IC 4-22-2.1-5(a) provides that an agency that intends to adopt a rule under IC 4-22-2 that will impose requirements or costs on small businesses must prepare a statement that describes the annual economic impact of the rule on small businesses after the rule is fully implemented as described in IC 4-22-2.1-5(b). That statement must be submitted to the Indiana Economic Development Corporation (IEDC). The IEDC is required to review the rule and submit written comments to the agency not later than seven days before the public hearing.

The Indiana Gaming Commission (Commission) proposes a rule that adds IC 4-35 as a relevant statute and gambling game licensees as regulated entities; replaces obsolete terminology; amends definitions; amends Commission oversight over related party transactions; eliminates certain reporting requirements and updates others; standardizes the procedure for requesting deviations from rules; clarifies attorney eligibility to practice before the Commission; updates requirements for commission surveillance and work rooms at casinos; updates requirements for display of the compulsive gambling hotline number; contemplates that the Commission may issue certificates of compliance; amends application procedures; amends licensure requirements; amends transfer requirements; amends institutional investor requirements; codifies existing procedure for interim felony waivers; requires that an electronic gaming device's circuit board enclosure be locked and sealed; requires game data recall to include the current game and the previous ten games; amends debt transaction requirements; changes eviction criteria to reflect the Indiana Supreme Court's decision in *Donovan*; adds ticket-in-ticket-out technology where applicable; eliminates references and inferences to the State Police being the casino police; adds new technologies to surveillance requirements; reflects a policy change in deadlines for monthly tax reports; establishes that bank areas other than the main bank may operate on an imprest basis; amends credit and check cashing requirements; eliminates requirements regarding disclosure of Social Security numbers where possible; eliminates duplication with statutory provisions; and makes numerous technical changes. The proposed rule also repeals 68 IAC 1-2-3 and 68 IAC 1-4-8.

Estimated Number of Small Businesses Affected:

This rulemaking contains a large number of technical, ministerial, and other nonsubstantive changes. The substantive portions of the proposed rule apply to casino patrons; casino licensees and affiliates; supplier licensees; occupational licensees; and attorneys seeking to practice before the Commission. Under IC 4-22-2.1-4, a small business is a business entity that satisfies the following requirements:

- (1) On at least fifty percent (50%) of the working days of the business entity occurring during the preceding calendar year, the business entity employed not more than one hundred fifty (150) employees.
- (2) The majority of the employees of the business entity work in Indiana.

Casino licensees affected by the rule do not meet the above definition of a small business because each casino employs more than 150 employees during at least 50 percent of the working days during the previous calendar year. Occupational licensees, patrons, and attorneys are not business entities. No supplier licensees have a majority of their employees working in Indiana, so no suppliers are small businesses, either.

Estimated Administrative Costs Imposed on Small Businesses:

The Commission estimates that there are no costs.

Estimated Total Annual Economic Impact on Small Businesses:

The Commission estimates that there will be \$0 total annual impact on small businesses as a result of compliance with this rule.

Justification of Requirements or Costs:

The Commission has no justification of requirements or costs.

Regulatory Flexibility Analysis:

The Commission does not propose an alternative regulatory method.

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